

Filed: June 18, 2007
Staff: Kristen Martin
Staff Report: July 11, 2007
Hearing Date: July 18, 2007
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO.: 2007-04
APPLICANT(S): David Fraser
AGENT: N/A
PROJECT LOCATION: 774 Edwards Street
PROJECT DESCRIPTION: Design Review and Coastal Development Permit to construct a 712 s.f. single-story addition to an existing 816 s.f. residence, along with a new 460 s.f. carport and 400 s.f. deck. A new septic system will also be installed.
ASSESSOR'S PARCEL NUMBER: 042-041-36
ZONING: UR – Urban Residential
GENERAL PLAN DESIGNATION: UR – Urban Residential
ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15301 of the CEQA Guidelines exempting alterations and additions to existing structures.
APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project X ~~is~~ is not appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the north side of Edwards Street near the intersection of Edwards and Van Wycke. It is generally surrounded by residential development except for Katy's Smokehouse, located to the northeast. It is currently developed with a 816 s.f. single-story residence and a 2-bedroom septic system. Access to the property is provided through a paved driveway located on the adjacent parcel to the east (APN 042-041-24), which has a deed restriction allowing such access. The site generally has a 6 to 12 percent slope to the southwest, which becomes steeper near the front property line. A gravel driveway on the northeastern corner of the property provides access to the adjacent parcel to the north.

STAFF COMMENTS:

Referrals were sent to the Building Official, City Engineer and County Division of Environmental Health. None had any concerns or objections at this level of review. A standard condition of approval has been included that all conditions of the City Building Official must be met prior to building permit issuance and that any grading, drainage and street improvement requirements will be addressed in the building permit.

The applicant has been requested to place story poles and strings on the property marking the horizontal and vertical boundaries of the proposed construction. Members of the Commission and the public will be able to view these poles over the coming weekend to evaluate the potential effects of the project on the visual character of the neighborhood.

Note: Since writing this staff report, I have gotten information that the property to the north of this parcel has a 10 ft. wide access easement along the eastern property line. This easement may significantly affect the applicant's ability to construct this project as proposed, since some of the improvements would be within this easement. However, the easement is not currently used and the access to both this parcel and the parcel to the north are through the Katy's Smokehouse driveway. There is no formal easement or agreement for the current access, and it should be formalized for the sake of all parties regardless of the 10 ft. easement on this property. However, with the easement, then access needs to be formalized prior to the construction of this project. By the time of the meeting I will have more information, but it is likely that a condition of approval will need to be added that an access easement must be granted to both the Frasers and the Huffs via the Smokehouse driveway prior to any building permits being issued. This will likely involve a survey and recordation of some documentation on the deeds. All the parties have been notified of this issue and may work something out prior to the meeting. Other options may include constructing the septic tank so that it can withstand vehicular traffic, or showing that driveway access and parking can be provided off Edwards Street in case the current access is cut off somehow.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY:

The property where the project is located is zoned UR – Urban Residential. The purpose of this zone is to allow relatively dense residential development; single-family residences are a principally permitted use. The minimum lot size allowed in the UR zone is 8,000 s.f. and the maximum density is one dwelling per 8,000 s.f.

This project is proposed for an approximately 9,130 s.f. lot. The floor area of the new residence, as defined by the Zoning Ordinance Sec. 17.08.310, will be 1,528 s.f. The house will remain 2-bedroom and single-story. Other proposed site improvements consist of a 400 s.f. cedar (or redwood) deck, a 400 s.f. carport, a 60 s.f. covered porch, and a new 2-bedroom septic system. The following table summarizes the project square footages.

TABLE 1 - AREAS

	AREA
LOT AREA	9,130 sf
FLOOR AREA	
Existing	816 sf
Proposed	1,528 sf
OTHER	
Carport	400 sf
Covered porch	60 sf
Deck	400 sf
FLOOR TO LOT AREA RATIO	
Residence (existing)	8.9%
Residence (proposed)	16.7%
Total footprint (proposed)	26.2%

The Urban Residential zone (§17.36.050) requires minimum yards of front 20', rear 15', and side 5' (§ 17.36.060). The parcel faces Edwards Street to the south. The plot plan indicates that the required setbacks will be met by the addition and the existing residence. Section 17.56.110 allows eaves and overhangs to extend 2.5' into side yards and 4' into front, street-side and rear yards. Decks and stairways, landings, balconies and uncovered porches are allowed to extend up to eight feet into front, rear or street-side yards and three feet into side yards. For all these features setbacks will be met, as shown on the plot plans.

The maximum height allowed in the UR zone, by Zoning Ordinance § 17.36.06 (average ground level elevation covered by the structure to the highest point of the roof), is 25 feet, except that the Commission may require a lesser height in order to protect views.

The maximum height of the proposed structure, as shown on the plans, is approximately 13 feet measured from the foundation and approximately 16 feet above the average ground surface elevation. It will be approximately 2 feet higher than the existing building. The Trinidad General Plan and Zoning Ordinance protect importance public coastal views from roads, trails and vista points and private views from inside residences located uphill from a proposed project from significant obstruction. Because the project site is already developed and located within an existing urban area, and because the proposed addition will not substantially increase the building height, there is minimal potential for any view impacts.

The Zoning Ordinance (§ 17.56.180) requires 2 off-street parking spaces in addition to any garage space. The proposed carport fulfills this requirement, as it is not an enclosed garage and provides space for 2 cars. This project will not increase the number of bedrooms in the house and thus will not impact the parking, or increase the intensity of use on site.

Minimal grading is proposed for the project. The site is already connected to services and utilities. Exterior materials will consist of horizontal lap siding to match the existing house siding; the roof will consist of “torch-on” rolled roofing material to match the existing roof, and will include photovoltaic solar collector panels.

SLOPE STABILITY:

The property where the proposed project is located is outside of any areas designated as unstable or questionable based on Plate 3 of the Trinidad General Plan, and the site is moderately sloped (6 to 12 percent). No steep or unstable slopes will be affected by the project.

SEWAGE DISPOSAL:

The existing septic tank is shown on the plans. Locations of the new septic tank, pump chamber, and primary and reserve leachfields are also shown. The system will be designed according to standards set forth by Pacific Watershed Associates in a letter dated May 10, 2007 (see file). The parcel is served by a public water source and no wells, springs or drainages are located within 100 feet of the proposed leachfield areas. The proposed design maintains the minimum 10 foot setback from the western property line. However, due to the limited space on this property, verbal permission was granted by the neighbors to the north to place the leachfield a minimum of 2 feet from the property line.

The proposed leachfield areas must maintain a minimum 10 foot setback from all existing and proposed foundations. In an effort to comply with these requirements, the proposed carport will have a gravel floor within 10 feet of the leach line. Additionally, due to the proximity of the leachfield to potential parking areas, a rock or landscaped barrier will be installed on the edge of the gravel driveway to prevent driving and parking

on the new leachfield. This has been incorporated into the conditions of approval for this project. A standard condition has also been added requiring a deed restriction limiting the residence to 2 bedrooms.

LANDSCAPING AND FENCING:

No tree removal is proposed. No new fencing or landscaping is proposed at this time, except for installation of a rock or landscaped barrier between the parking area and the proposed septic leachfield.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project is located within the Coastal Zone and includes an addition to a structure that alters the exterior profile and appearance, Section 17.60.030 of the Zoning Ordinance requires Design Review and View Protection Findings to be made as well as approval of a Coastal Development Permit. Application materials were submitted on June 18, 2007. Application materials include a plot plan that shows proposed and existing improvements, a preliminary floor plan, and elevations. The following required Design Review/View Preservation Findings are written in a manner to allow approval without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted or that the proposed structure is obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: Minimal grading is proposed for this project.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project site is not located within or adjacent to any open space areas.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The proposed addition is consistent with existing and surrounding development. Exterior materials have been designed to match the existing house.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.*

Response: The plot plan indicates that the applicant will use either rocks or landscaping materials in construction of the gravel driveway barrier. Since the driveway is located in the rear of the property, the type of material used will not impact the visual qualities of the neighborhood.

- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No on-premise signs are associated with this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The project will not alter existing service and utility connections
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are associated with this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*

Response: The proposed addition will result in a residence of that is 1,528 s.f., well below the recommended 2,000 s.f. maximum. Another guideline typically used by the Planning Commission is a maximum floor-to-lot area ratio of 25%. The proposed residential floor-to-area ratio will be approximately 16.7%. The architectural style of the proposed addition will match that of the existing residence.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project is not generally visible from beach, trail or open space areas.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: Due to its location and size, the proposed addition will not impact public views.

- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The proposed project, because of its location and size, will not substantially affect private views.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, Trinidad Cemetery, Holy Trinity Church or the Memorial Lighthouse.

STAFF RECOMMENDATION:

Based on the above analysis, the project is consistent with the City's Zoning Ordinance and General Plan and other policies and regulations, and the necessary findings for granting approval of the project can be made. Should the Planning Commission find that the Design Review/View Protection Findings can be made, then staff recommends that the Planning Commission approve the project with a motion similar to the following:

Based on application materials, information and findings included in this Staff Report, and public testimony, I move to adopt the information and required findings and approve the project as submitted and as conditioned below.

PLANNING COMMISSION ALTERNATIVES:

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

CONDITIONS OF APPROVAL:

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to place receipt in conditions compliance folder prior to building permits being issued.*
2. Based on the findings that community values may change in a year's time, design review approval is for a one-year period starting at the effective date and expiring thereafter unless an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to building permits being issued.*
3. Construction related activities are to occur in a manner that will not impact the integrity of the septic system. The leachfield area shall be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the contractor. If the existing system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The contractor will be required to file a mitigation report for approval by the City and County Health Department prior to permitting additional work to occur. *Responsibility: Building Official to verify prior to building permits being issued and during construction.*
4. Recommended conditions of the City Building Official shall be required to be met as part of the building permit application submittal. Grading, drainage and street improvements will need to be specifically addressed at the time of building permit application. *Responsibility: Building Official prior to building permits being issued.*
5. Construction related activities are to occur in a manner that incorporates storm water runoff and erosion control measures in order to account for water quality considerations near the bluffs. Specific water quality goals include, but are not limited to:
 - a. Limiting sediment loss resulting from construction
 - b. Limiting the extent and duration of land disturbing activities

- c. Replacing vegetation as soon as possible
- d. Maintaining natural drainage conditions

Responsibility: Building Official to confirm at time building permits are issued.

9. Applicant is to provide a method for the City to verify height measurements (such as a reference stake) before and during the roof framing inspection and upon project completion. The addition shall not exceed the maximum height shown on the approved plans (16'±). *Responsibility: Building Official to confirm at time building permits are issued and during construction inspections.*
10. The applicant is responsible for submitting proof that a statement on the deed, in a form approved by the City Attorney, has been recorded indicating that any increase in the number of bedrooms above a total of two (2) bedrooms will require City approval of adequate sewage disposal capabilities. *Responsibility: Building Official to verify prior to building permits being issued.*
11. Applicant shall demonstrate that the site can support a new septic system by obtaining an approved sewage disposal permit for a new septic system from the Humboldt County Division of Environmental Health. *Responsibility: Building Official to verify prior to final sign-off.*
12. Applicant shall follow the recommendations listed on Page 7 of Pacific Watershed Associates' letter dated May 10, 2007 (see file) regarding design and placement of the new septic system, unless an exception is granted by the County Division of Environmental Health. *Responsibility: Health Division to verify prior to issuance of a sewage disposal permit.*
13. Applicant shall construct a rock or landscaped barrier separating the gravel driveway from the proposed septic leachfield, as shown on the plans submitted. *Responsibility: Building Official to verify prior to building permits being issued.*
14. Applicant shall direct roof drainage downspouts away as possible from septic system tank and leachfields. *Responsibility: Building Official to confirm at time building permits are issued.*